

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2021

Semester: III

Course: Family Law I
Program: BA LL.B (EL/CL/ Cr. L), BBA LL.B (CL/BFIT/ITIL), B.Com LL.B, LL.B
Course Code: CLCC2010

Duration: 03 hrs.
Max. Marks:100

Instructions:

SECTION A
(Type the answers in test box)

Objective Type Questions/Definitions/fill in the blanks

5Qx2M=10 Marks

Q. No.		Marks	CO
1	Define 'Maintenance Pendente Lite'	2	1
2	Difference between <i>Sunnah</i> and <i>Hadith</i>	2	1
3	<i>Sapinda</i> Relationship	2	1
4	Testamentary guardians	2	1
5	Palimony	2	1

SECTION B
(Scan and upload)

(Conceptual based question)

4Q x5M=20
 Marks

Q. No.		Marks	
1	The Indian Divorce (Amendment) Act, 2001 has radically changed the Indian Divorce Act 1869. Discuss how.	5	2
2	What is 'desertion'? Point out the distinction between actual and constructive desertion	5	2
3	(A) a Jain marries to (B) a Sikh in Buddhist ceremonies of marriage. What is the validity of this marriage?	5	2
4	Section 125 Cr. P.C is a secular provision- Any wife irrespective of her personal law can claim maintenance from her husband under this provision. Explain	5	2

SECTION-C
(Scan and upload)

(Descriptive/Analytical Questions)

2Qx10M=20 Mark

Q.No.		Marks	CO
1	Discuss the right of a Hindu mother to act as a natural guardian of a Hindu minor under Hindu Law. Discuss the judicial approach towards the right of a Hindu Mother under the Indian law by citing the relevant judicial decisions of the Apex Court.	10	3

2	Discuss the concept of Mehr under Muslim Law. Explain the remedies available to a Muslim female on the non-payment of Mehr by Muslim husband.	10	3
SECTION-D			
<i>(Scan and upload)</i>			
(Case Studies/ Application Based Questions)		2Qx25M =50 Marks	
Q.No.		Marks	CO
1	<p>Kartik got married to Deepali on June 20, 2020 according to Hindu rites and ceremonies. Prior to the marriage, due to certain medical complications, Deepali's uterus was removed by a surgical operation and thereafter she was not in a position to conceive a child. Deepali's parents did not disclose this fact during the marriage negotiations and Deepali also did not reveal this fact to Kartik on the day of marriage. Two days after the marriage, Kartik came to know from Deepali's friend Kajal that Deepali got herself operated before the marriage and got her uterus removed. Kartik felt cheated and filed a petition in the Family Court in August 2020 for the annulment of marriage on the ground of Impotency and Fraud.</p> <p>Discuss whether Kartik would succeed in this petition on the ground of Impotency and Fraud.</p> <p>Discuss the law relating to annulment of marriage on the ground of fraud and impotency in the light of the factual situation under inquiry. Give proper reasons and mention the case law on the point (if any).</p>	10 15	4
2	<p>Sohail, a Muslim male got married with the Zeneb, a Muslim female while his other four wives were still alive.</p> <p>Discuss the validity of this marriage under Muslim law under the following circumstances by giving proper reasons:</p> <p>a) if Sohail is a Sunni Muslim and marries in Nikah Form.</p> <p>b) if Sohail is a Shia Muslim and marries in Nikah form.</p> <p>c) if Sohail, a sunni muslim marries with Zenab in Muta Form for 3 years.</p> <p>d) if Sohail is a Sunni male marries in Nikah form with Zenab who is a Christian female.</p> <p>e) if Sohail, a sunni male, married Zenab, a muslim female in Nikah form but without witnesses. What would be your answer if Sohail was a shia male.</p>	5 5 5 5 5	4